

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. CV- 07-5944-SC

MDL No. 1917

This Document Relates to:

ALL DIRECT PURCHASER ACTIONS

**FINAL JUDGMENT OF DISMISSAL WITH
PREJUDICE AS TO DEFENDANTS
HITACHI, LTD.; HITACHI DISPLAYS,
LTD. (N/K/A JAPAN DISPLAY INC.);
HITACHI AMERICA, LTD; HITACHI ASIA
LTD.; AND HITACHI ELECTRONIC
DEVICES (USA) INC.**

1 This matter has come before the Court to determine whether there is any cause why this
 2 Court should not approve the settlement with Defendants Hitachi, Ltd.; Hitachi Displays, Ltd.
 3 (n/k/a Japan Display Inc.) (“Hitachi Displays”); Hitachi America, Ltd.; Hitachi Asia, Ltd.; and
 4 Hitachi Electronic Devices (USA) Inc. (collectively, “Hitachi”) set forth in the Settlement
 5 Agreement (“Agreement”), dated November 29, 2013, relating to the above-captioned litigation.
 6 The Court, after carefully considering all papers filed and proceedings held herein and otherwise
 7 being fully informed in the premises, has determined (1) that the Settlement should be approved,
 8 and (2) that there is no just reason for delay of the entry of this Final Judgment approving this
 9 Agreement. Accordingly, the Court directs entry of Judgment which shall constitute a final
 10 adjudication of this case on the merits as to the parties to the Agreement. Good cause appearing
 11 therefor, it is:

12 **ORDERED, ADJUDGED AND DECREED THAT:**

13 1. The Court has jurisdiction over the subject matter of this litigation, and all actions
 14 within this litigation and over the parties to the Agreement, including all members of the Class and
 15 Defendants.

16 2. The definitions of terms set forth in the Agreement are incorporated hereby as
 17 though fully set forth in this Judgment.

18 3. The Court hereby finally approves and confirms the settlement set forth in the
 19 Agreement and finds that said settlement is, in all respects, fair, reasonable and adequate to the
 20 Class pursuant to Rule 23 of the Federal Rules of Civil Procedure.

21 4. Pursuant to Fed. R. Civ. P. 23(g), Lead Counsel, previously appointed by the Court,
 22 Saveri & Saveri, Inc., is appointed as counsel for the Class. This firm has and will fairly and
 23 competently represent the interests of the Class.

24 5. Those persons/entities identified on Exhibit C to the Declaration of Ross Murray in
 25 Support of Final Approval of Class Action Settlements filed on August 1, 2014, who/which have
 26 submitted timely requests for exclusion have validly requested exclusion from the Class and,
 27 therefore, are excluded. Such persons/entities are not included in or bound by this Final Judgment.
 28

1 Such persons/entities are not entitled to any recovery of the settlement proceeds obtained through
2 this settlement.

3 6. This Court hereby dismisses on the merits and with prejudice the Class Action in
4 favor of Hitachi, with each party to bear their own costs and attorneys' fees.

5 7. All persons and entities who are Releasors are hereby barred and enjoined from
6 commencing, prosecuting or continuing, either directly or indirectly, against the Hitachi Releasees,
7 in this or any other jurisdiction, any and all claims, causes of action or lawsuits, which they had,
8 have, or in the future may have, arising out of or related to any of the Released Claims as defined
9 in the Agreement.

10 8. The Hitachi Releasees, are hereby and forever released and discharged with respect
11 to any and all claims or causes of action which the Releasors had or have arising out of or related to
12 any of the settled claims as defined in the Agreement.

13 9. The notice given to the Class of the settlement set forth in the Agreement and the
14 other matters set forth herein was the best notice practicable under the circumstances, including
15 individual notice to all members of the Class who could be identified through reasonable efforts.
16 Said notice provided due and adequate notice of those proceedings and of the matters set forth
17 therein, including the proposed settlement set forth in the Agreement, to all persons entitled to such
18 notice, and said notice fully satisfied the requirements of Rules 23(c)(2) and 23(e)(1) of the Federal
19 Rules of Civil Procedure and the requirements of due process.

20 10. Without affecting the finality of this Judgment in any way, this Court hereby retains
21 continuing jurisdiction over: (a) implementation of this settlement and any distribution to Class
22 Members pursuant to further orders of this Court; (b) disposition of the Settlement Fund (c) hearing
23 and determining applications by plaintiffs for attorneys' fees, costs, expenses, and interest; (d) the
24 Action until the Final Judgment contemplated hereby has become effective and each and every act
25 agreed to be performed by the parties all have been performed pursuant to the Agreement; (e)
26 hearing and ruling on any matters relating to the plan of allocation of settlement proceeds; and (f)
27 all parties to the Action and Releasors, for the purpose of enforcing and administering the
28

1 Agreement and the mutual releases and other documents contemplated by, or executed in
2 connection with the Agreement.

3 11. The Court finds, pursuant to Rules 54(a) and (b) of the Federal Rules of Civil
4 Procedure, that this Final Judgment should be entered and further finds that there is no just reason
5 for delay in the entry of this Judgment, as a Final Judgment, as to the parties to the Agreement.
6 Accordingly, the Clerk is hereby directed to enter Judgment forthwith.

7
8 IT IS SO ORDERED.

9
10
11 Dated: _____

12 Hon. Samuel Conti
13 United States District Judge
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28